

ENTERED

July 23, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

AUSTIN VAN OVERDAM,

Plaintiff,

VS.

TEXAS A&M UNIVERSITY,

Defendant.

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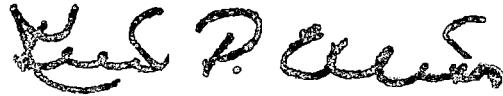
CIVIL ACTION NO. 4:18-CV-2011

ORDER

Before the Court is the Motion to Dismiss filed by Defendant Texas A&M University (hereinafter, “Defendant’s Motion”) (Doc. No. 26). On July 23, 2019, the Court granted Plaintiff Austin Van Overdam’s Motion for Leave to File a Second Amended Complaint (Doc. No. 40). Plaintiff’s Second Amended Complaint supersedes Plaintiff’s First Amended Complaint (Doc. No. 21), which was the basis of Defendant’s Motion to Dismiss. The amended pleading renders the Original Complaint of no legal effect. *King v. Dogan*, 31 F.3d 344, 346 (5th Cir. 1994). Therefore, Defendant’s Motion to Dismiss (Doc. No. 26), Defendant’s Motion to Strike (Doc. No. 33), and Defendant’s Motion to Stay (Doc. No. 36) are **DENIED AS MOOT**. The Court notes that Defendant is free to make whatever filings it deems appropriate in response to the Second Amended Complaint, as the Court makes no determination of law as to its sufficiency.

IT IS SO ORDERED.

SIGNED at Houston, Texas, on this the 23rd of July, 2019.

A handwritten signature in black ink, appearing to read "Keith P. Ellison". The signature is written in a cursive, flowing style with some capital letters.

KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE